

# FOGLAND BEACH OVERSIGHT COMMITTEE

## Regular Meeting Minutes 13 August 2008

Members present: T. Ramotowski (Chairman, Conservation Commission), D. Merriman (Neighborhood Representative), M. Van Hof (Open Space Commission) and S. Berlucchi (Director of Public Works).

Also present: B. Lima.

Chairman Ramotowski called the meeting to order at 5:05 PM at the Tiverton Community Center, 346 Judson Street.

### **I. Public Delegations**

Ms. Lima stated that there had recently been a problem with loose dogs roaming around the beach. Some of the neighbors called the police and the animal control officer. The dogs in question had been brought to the beach by one or more of the daily visitors. They were particularly rambunctious and had jumped on people. After the complaints were called in, the animal control officer drove down to Fogland and patrolled there regularly for a couple of days.

Chairman Ramotowski stated that the incident was unfortunate, and that the Town Code prohibits dogs from the beach between Memorial Day and Labor Day.

### **II. Administrative Matters**

#### **• Approval of Minutes**

At this time, there were no prepared sets of minutes to be approved.

#### **• Miscellaneous Correspondence**

There was no miscellaneous correspondence.

### **III Committee Member Reports**

#### **• Town Administrator**

There was no report.

#### **• Director of Public Works**

#### **Parking on Beach Grass**

Mr. Berlucchi reported that he had been down to Fogland on Town Business on July 9, 2008, and noticed that a pickup truck and trailer filled with about a dozen windsurfing boards was parked on the beach grass. Mr. Berlucchi stated that he told the man who owned the truck that he should not be parking on beach grass, because driving on the grass damages/kills it, and the loss of the beach grass would lead to additional wind erosion. There was plenty of parking available nearby that would not have impacted the beach grass. Mr. Berlucchi stated that he asked the man to move his vehicle to the gravel parking area. The man said he had been parking in this location for 20 years, but agreed to move his vehicle.

Mr. Berlucchi noted that the attendant parks his car on the beach grass near the small shack he uses. Mr. Berlucchi stated that he asked the beach attendant to move his car to the gravel parking area as well.

Mr. Berlucchi stated that there should be a policy on this – otherwise, people will continue to park wherever they please and beach vegetation will be damaged. Perhaps a sign should be erected near the entrance to the beach telling people not to park on the grass.

Chairman Ramotowski stated that this incident once again brings up the issue of enforcement of regulations at the beach – something that has been an ongoing problem. Mr. Van Hof questioned the need for a dozen windsurfing boards, and asked if the individual who owned truck and trailer was engaging in a for-profit business of renting out the boards or perhaps giving windsurfing lessons. The town Council has indicated in the past that no for-profit activities were to occur at Fogland without their approval. Chairman Ramotowski stated it could be difficult to prove that money was being exchanged in this instance. Mr. Merriman stated that at least one individual, P. Lebeau, consistently engages in a for profit activity at Fogland – renting out boards and giving lessons. He gets the boards from a shop in Bristol – Northwinds – and rents them out on their behalf. He usually has a pickup truck with a camper attachment sitting in its bed. There is also another person, a woman, who has an RV and she gives lessons on windsurfing.

Mr. Berlucchi reported that the Town had received complaints from people living in the Fogland area that an individual was cutting down bushes between his property and the beach, and that the same individual was also moving stones and boulders from the beach to his property. Mr. Berlucchi stated that the CRMC was notified about this complaint. Ms. Lima stated that a significant area had been cleared of brush. Mr. Berlucchi stated that the individual involved, Mr. Bina, is going to meet with the Town Administrator to discuss the issue. He has also apparently posted some signs to discourage people from parking along Three-Rod Way near his house.

#### • **Recreation Commission**

There was no report.

- **Conservation Commission**

Chairman Ramotowski stated that he had received an E-mail from J. Zwarg at RI-DEM asking if anything had happened regarding the grant money that was set aside a couple of years ago for Fogland. Apparently, the State's Department of Administration is reviewing the funding set aside for this grant, if it would be good for the Town to start moving the project forward.

Chairman Ramotowski noted that the \$15,000.00 in Town funding that had been set aside for the Fogland survey had been carried over to the present fiscal year by the Town Council.

- **Open Space Commission**

There was no report.

- **Harbor Commission**

There was no report.

- **Neighborhood Representative:**

Mr. Merriman reported that since April, there had been a number of open fires at Fogland after dark. On each occasion, the fires were reported to both the police and fire departments.

Mr. Merriman stated that overnight camping was still an issue at Fogland. One night, there had been a pup-tent set up in the area of the cul-de-sac road. On other nights there are RVs parked at the beach after dark. The people in these RVs always say that they are "fishing" and that seems to be a good enough excuse for the police to allow them to remain. Mr. Merriman stated that there is traffic all night long at the beach, probably involving drug dealing, etc. Something needs to be done.

Mr. Merriman noted that P. Lebeau is still giving windsurfing lessons out on the point, even though he was told by the previous Town Administrator to stop doing so. Something needs to be done to enforce the Town Council's ruling that no for-profit activities should be taking place at Fogland. The Town is aware of what is going on, but it just ignores it. That could have serious legal liability implications if someone taking the lessons were to be injured.

#### **IV. Progress Towards Common Goals**

- **Detailed Map/Survey of Town-Owned Property at Fogland**

- **Status of RFP for Fogland Survey/Map**

Chairman Ramotowski reported that there had been no change in the status of this item since the last Committee meeting.

- **Long-Term Management Plan for Fogland Beach**

Chairman Ramotowski noted that progress on this issue will occur once the survey/map has been produced.

**V. Adjournment**

There being no further business to discuss, the August 13, 2008 meeting of the Fogland Oversight Committee adjourned at 5:55 PM.

These minutes were prepared by T. Ramotowski.